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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.445 of 2015**

Ahilya Bai W/o Teluchand, Aged About 40 Years R/o Block No. L, C-1, F, Labour Camp, Bhilai District Durg (Chhattisgarh)

---- Appellant**versus**

1. President Parent Teacher Association B S P High School, Sector -8, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P High School, Sector- 8, Bhilai, District Durg (Chhattisgarh)
3. Managing Director, S A I L B S P, Bhilai, (Now Chief Executive Officer) District Durg (Chhattisgarh).
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur. (Chhattisgarh)
5. Presiding Officer, Labour Court, Durg. (Chhattisgarh)

---- Respondents**Writ Appeal No. 446 of 2015**

B. Polamma W/o B. Ramallu, Aged About 42 Years R/o Block No. 1C, 1-F, Labour Camp Bhilai, Tahsil And District Durg, (Chhattisgarh)

---- Appellant**versus**

1. President Parent Teacher Association B S P Senior Secondary School, Sector 10, Bhilai, District Durg, (Chhattisgarh)
2. Secretary- Cum- Principal, Parent Teachers Association, B S P Senior Secondary School Sector 10, Bhilai, District Durg, (Chhattisgarh)
3. Steel Authority Of India Ltd. Through Managing Director Now Known As Chief Executive Officer, Bhiali Steel Plant, Tahsil And District Durg, (Chhattisgarh)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur, (Chhattisgarh)
5. Presiding Officer, Labour Court, Durg, (Chhattisgarh)

---- Respondents**Writ Appeal No. 447 of 2015**

Kartik Ram S/o Ganpat Lal, Aged About 50 Years R/o Nehru Chowk, Camp 1, Near Sinha Cycle Store, Bhilai, District Durg Chhattisgarh

---- Appellant**versus**

1. President Parent Teacher Association B.S.P. Higher Secondary School Camp 1, Bhilai, District Durg Chhattisgarh
2. Secretary Cum Principal, Parent Teachers Association, B S P Higher Secondary School Camp - 1, Bhilai, District Durg Chhattisgarh
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh Raipur Chhattisgarh
5. Presiding Officer, Labour Court, Durg Chhattisgarh

---- Respondents

Writ Appeal No. 450 of 2015

Ram Ajjaiyya S/o Shri Chinaiyya, Aged About 40 Years R/o Block No. 1/A, Street No. 60, Sector -6, Bhilai, District Durg (Chhattisgarh).

---- Appellant

versus

1. President Parent Teacher Association B S P Senior Secondary School, Sector 4, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School Sector 4, Bhilai, District Durg (Chhattisgarh).
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg (Chhattisgarh)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur.
5. Presiding Officer, Labour Court, Durg. (Chhattisgarh)

---- Respondents

Writ Appeal No. 451 of 2015

P. Chintami W/o Akaiya, Aged About 44 Years R/o Block No. 3 F, Street No. 59, Sector - 6, Bhilai, District - Durg (C. G.)

---- Appellant

versus

1. President Parent Teacher Association B S P English Medium Middle School, Sector - 7, Bhilai, District - Durg (C. G.)
2. Secretary - Cum - Principal Parent Teachers Association, B S P English Medium Middle School, Sector - 7, Bhilai, District - Durg (C. G.)
3. Managing Director, S A I L B S P, Bhilai, (Now Chief Executive Officer) District Durg (C. G.)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur.
5. Presiding Officer, Labour Court, Durg.

---- Respondents

Writ Appeal No. 452 of 2015

Kavita Chourey W/o Rahul Chourey, Aged About 44 Years R/o Buddha Vihar, Sector- 06, Street No. 1, Bhilai, District Durg (Chhattisgarh).

---- Appellant

versus

1. President Parent Teacher Association B S P Senior Secondary School No.2, Sector 46, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Senior Secondary School No. 2, Bhilai, District Durg (Chhattisgarh).
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg (Chhattisgarh)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur. (Chhattisgarh)
5. Presiding Officer, Labour Court, Durg. (Chhattisgarh)

---- Respondents

Writ Appeal No. 453 of 2015

Budhram S/o Late Chhotu Ram, Aged About 60 Years R/o Sanjay Nagar, Kumharpara, Supela, Bhilai, District Durg (Chhattisgarh)

---- Appellant

versus

1. President Parent Teacher Association B S P Higher Secondary School No. 1, Sector -6, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School No.1, Sector- 6, Bhilai, District Durg (Chhattisgarh).
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg (Chhattisgarh)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur. (Chhattisgarh)
5. Presiding Officer, Labour Court, Durg. (Chhattisgarh)

---- Respondents**Writ Appeal No. 454 of 2015**

Nona Bai W/o Budhram, Aged About 55 Years R/o Sanjay Nagar, Kumharpara, Supela, Bhilai, District Durg (Chhattisgarh)

---- Appellant**versus**

1. President Parent Teacher Association B S P Higher Secondary School No. 1, Sector -6, Bhilai, District Durg (Chhattisgarh).
2. Secretary-Cum-Principal Parent Teachers Association, B S P Higher Secondary School No.1, Sector- 6, Bhilai, District Durg (Chhattisgarh).
3. Managing Director S A I L, B S P Bhilai (Now Chief Executive Officer) District Durg (Chhattisgarh)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur. (Chhattisgarh)
5. Presiding Officer, Labour Court, Durg. (Chhattisgarh)

---- Respondents**Writ Appeal No. 456 of 2015**

N. Kondaiya S/o N. Polaiyya, Aged About 42 Years R/o Block No. 2/ F, Cross Street No. 11, Sector 6 Bhilai, District-Durg (Chhattisgarh)

---- Appellant**versus**

1. President Parent Teacher Association B S P Middle School No. 24, Sector - 7, Bhilai, District Durg (C. G.)
2. Secretary - Cum - Headmaster Parent Teachers Association, B S P Middle School No. 24, Sector - 7, Bhilai, District - Durg (C. G.)
3. Managing Director S A I L, B S P, Bhilai, (Now Chief Executive Officer) District - Durg (C. G.)
4. State Of Chhattisgarh, Through Secretary, Labour Department, Government Of Chhattisgarh, Raipur
5. Presiding Officer, Labour Court, Durg.

---- Respondents

For Appellants	:	Shri H.B.Agrawal, Senior Advocate with Smt. Meera Jaiswal, Advocate
For Respondents No.1 to 3	:	Dr. N.K.Shukla, Senior Advocate with Shri Shailendra Shukla, Advocate
For State	:	Shri B. Gopa Kumar, Deputy Advocate General

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Judgment on Board

Per Navin Sinha, Chief Justice

3/11/2015

1. The present appeals arise from a common order dated 14.7.2015 passed in Writ Petition (L) No. 35 of 2012 and analogous cases.
2. In view of the order dated 5.8.2015 in Writ Appeals No. 372 of 2015, 373 of 2015, 374 of 2015, 376 of 2015, 377 of 2015, 379 of 2015 and Writ Appeal No. 380 of 2015 preferred earlier by seven of the present Appellants against the order dated 14.7.2015, with the exception of Writ Appeals No.454 of 2015 and 447 of 2015, we do not consider it necessary to burden the present order with detailed discussions all over again. The order dated 5.8.2015 contains an express acknowledgement by the Principals of the respective schools of their willingness to abide by the orders for reinstatement of the Appellants granted by the Labour Court.
3. Learned Counsel for the Respondent-Principal stands by the same.
4. Contentions and counter contentions have been sought to be raised with regard to the non-appearance by the Appellants for joining and denial to accept their joining despite appearance before the respective Principals.
5. The Appellants are stated to be sweepers, class IV employees. Once the Principals have accepted the award and made a statement before the Court to accept the joining in compliance of the award of the Labour Court, in order to resolve the entire controversy with regard to contentions and counter contentions, as noticed above we direct as follows:

1. The Appellants shall report to the Principals of their respective schools for joining on 1.12.2015 at 11:00 am.

2. The Assistant Labour Commissioner (State), Durg

is directed to be present himself at any one of the seven schools on the aforesaid date and time to supervise the joining of the respective Appellants and acceptance of their joining.

3. The Assistant Labour Commissioner (State) shall likewise depute six other officers from his office who shall likewise report on the aforesaid date and time at the other respective schools as assigned by him and who will likewise ensure the acceptance and joining of the respective Appellants.

4. The Assistant Labour Commissioner (State) shall then file an affidavit before this Court reporting compliance of our directions.

5. If any impediment is created in the joining by any, in any manner, the Assistant Labour Commissioner (State) shall mention it in detail in his affidavit to be filed before us.

6. The writ appeals are disposed with the aforesaid directions.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE